

Amendment ___ to Amendment ___

Amendment No. 1 to Amendment 1 to HB1650

**Shepard
Signature of Sponsor**

FILED
Date _____
Time _____
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Comm. Amdt. _____

AMEND Senate Bill No. 1371*

House Bill No. 1650

By adding the following as a new subsection (d) to Section 71-5-194 of the amendatory language of Section 3:

(d) Notwithstanding any other law to the contrary, all information and documents containing trade secrets, proprietary information, rebate amounts for individual drugs or individual manufacturers, percent of rebate for individual drugs or individual manufacturers, and manufacturer's pricing which are contained in records of the TennCare bureau, the State of Tennessee and its agents shall be confidential and shall not be a public record for the purposes of title 10, chapter 7, part 5.

AND FURTHER AMEND in Section 71-5-2401 of the amendatory language of Section 1 by deleting subsection (b) in its entirety and by substituting instead the following:

(b) The state TennCare pharmacy advisory committee shall be composed of fifteen (15) members. Except for initial appointments, members shall be appointed to three-year terms. Members shall be appointed as follows:

(1) The governor shall appoint:

(A) One (1) practicing psychiatrist who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee Psychiatric Association. The initial appointee shall serve a three-year term;

(B) One (1) practicing nurse practitioner or physician's assistant who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee Nurses

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Association or the Tennessee Physician's Assistants Association.

The initial appointee shall serve a one-year term;

(C) One (1) practicing physician who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee Geriatric Society, after consultation with the Tennessee Chapter of the American Association of Retired Persons, who is a gerontologist or whose practice otherwise is primarily among the aged. The initial appointee shall serve a two-year term;

(D) One (1) practicing pediatrician who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee chapter of the American Academy of Pediatrics. The initial appointee shall serve a one-year term;

(E) One (1) family practitioner who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee Academy of Family Physicians. The initial appointee shall serve a two-year term;

(F) One (1) practicing cardiologist who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee chapter of the American College of Cardiology. The initial appointee shall serve a three-year term;

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(G) One (1) practicing pharmacist who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee Chain Drug Council. The initial appointee shall serve a one-year term;

(H) One (1) pharmacy director from a managed care organization participating in the TennCare program. The initial appointee shall serve a two-year term;

(I) One (1) member of an organization engaged in advocacy on behalf of members of the TennCare program. The initial appointee shall serve a three-year term.

(2) The speaker of the senate shall appoint:

(A) One (1) general internist who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee Medical Association. The initial appointee shall serve a three-year term.

(B) One (1) practicing pharmacist who is engaged in the retail distribution of prescription drugs who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee Pharmacists Association. The initial appointee shall serve a two-year term.

(3) The speaker of the house of representatives shall appoint:

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(A) One (1) general internist who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee Medical Association. The initial appointee shall serve a one-year term.

(B) One (1) practicing pharmacist who is engaged in the distribution of prescription drugs in the nursing home industry who participates in the TennCare program from a list of three (3) candidates submitted by the Tennessee Pharmacists Association. The initial appointee shall serve a three-year term

(4) The pharmacy director and medical director of TennCare shall serve as ex officio members of the state TennCare pharmacy advisory committee.

AND FURTHER AMEND in subsection (j) of Section 71-5-2401 of the amendatory language of Section 1 by deleting the language "nine (9)" and by substituting instead the language "eight (8)".

AND FURTHER AMEND in subsection (k) of Section 71-5-2401 of the amendatory language of Section 1 by inserting the language "faculty members of institutions of higher learning," between the language "pharmacists," and "or medical".